

## REMARKS

The cleaning and wetting compositions disclosed and claimed in the present application provide improved cleaning, i.e., improved removal of contact lens deposits, as well as less eye irritation as compared to the commercialized compositions of U.S. Patent Number 5,604,189. Also, the preferred embodiments of the subject compositions are effective at disinfecting a contact lens, yet employs a lower amount of antimicrobial agent thus further alleviating the potential for eye irritation.

Claims 1-12 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Hu et al, WO 00/37049.

Applicant respectfully traverses the rejection of claims 1-12 under 35 U.S.C. 103(a). Hu et al., '049 teach an ophthalmic solution for the treatment of contact lenses while worn in the eye **to prevent lipid or protein deposition** thereon. In particular, the compositions contain an ethoxylated glucose derivative wetting agent, tyloxapol cleaning agent and a polyoxyethylene-polyoxypropylene nonionic surfactant comfort agent.

To the contrary, the compositions of the present invention as disclosed and claimed in the present application contain a non-amine polyethyleneoxy-containing material (with a HLB of at least 18) comfort agent, a first nonionic poloxamine containing surfactant cleaning agent, a second nonionic surfactant (with a HLB less than 18) cleaning agent and a wetting agent for improved **removal of lens deposits**. Hu et al., '049 does not teach or suggest **dual cleaning agents for improved removal of lens deposits**, in addition to comfort agents and wetting agents, as is claimed in the present invention. Compositions effective in preventing deposits on contact lenses are not necessarily effective in removing deposits from contact lenses and thereby are not obvious in view thereof. Accordingly, the subject compositions with dual function cleaning agents

differ significantly from the teachings and suggestions of Hu et al., '049 for the prevention of lipid or protein lens depositions. For this reason in addition to others not set forth herein, the rejection of claims 1-12 under 35 U.S.C. 103(a) is inappropriate. Withdrawal of the rejection claims 1-12 under 35 U.S.C. 103(a) is respectfully requested.

Claims 1-4 and 6-11 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Heiler et al., WO 97/43373.

Applicant respectfully traverses the rejection of claims 1-4 and 6-11 under 35 U.S.C. 103(a). Heiler et al., '373 teach compositions and methods used as in the eye and/or out of the eye **inhibitors of proteinaceous deposits on hydrophilic contact lenses**. In particular, the compositions contain moderately charged polyquaternium polymers that selectively bind to hydrophilic contact lenses to block the binding of proteinaceous materials.

✓ To the contrary, the compositions of the present invention as disclosed and claimed in the present application include **dual cleaning agents for improved removal of lens deposits**. The claimed compositions include a non-amine polyethyleneoxy-containing material (with a HLB of at least 18) comfort agent, a first nonionic poloxamine containing surfactant cleaning agent, a second nonionic surfactant (with a HLB less than 18) cleaning agent and a wetting agent for improved **removal of lens deposits**. The subject compositions have been proven effective in removing lens deposits **without the use of polyquaternium polymers to block deposits**. Polyquaternium polymers are taught by Heiler et al., '373 as the active ingredient to prevent the formation of protein deposits on contact lenses. Accordingly, Heiler et al., '373 teach away from the compositions of the present invention. Heiler et al., '373 teach and/or suggest that moderately charged **polyquaternium polymers are necessary** in a composition to achieve

an effective contact lens cleaning solution. However, as disclosed and claimed in the subject application, compositions of the present invention achieve improved cleaning with less eye irritation as compared to commercialized compositions of U.S. Patent Number 5,604,189 without requiring polyquaternium polymers. Accordingly, the subject compositions differ significantly from the teachings and suggestions of Heiler et al., '373. For this reason in addition to others not set forth herein, the rejection of claims 1-4 and 6-11 under 35 U.S.C. 103(a) is thereby inappropriate. Withdrawal of the rejection claims 1-4 and 6-11 under 35 U.S.C. 103(a) is respectfully requested.

Pending claims 1-12 are believed to be patentable as written. Allowance of pending claims 1-12 is thereby respectfully requested.

Should there be any questions regarding this communication, please feel free to contact the undersigned at (636) 226-3340.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Rita D. Vacca", with a long horizontal flourish extending to the right.

Rita D. Vacca  
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